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**State of New Jersey****DEPARTMENT OF HEALTH AND SENIOR SERVICES**

CONSUMER AND ENVIRONMENTAL HEALTH SERVICES

PO BOX 369

TRENTON, N.J. 08625-0369

www.nj.gov/healthJON S. CORZINE
*Governor*HEATHER HOWARD
Commissioner

October 15, 2009

Mr. Andrew Confortini, On Scene Coordinator
US EPA, Region 2
2890 Woodbridge Avenue, MS-211
Edison, New Jersey 08837

Dear Andrew,

The Toxics in Biota Committee is comprised of representatives of the New Jersey Department of Health & Senior Services (NJDHSS), New Jersey Department of Environmental Protection (NJDEP), and the New Jersey Department of Agriculture (NJDOA). Through the committee's oversight, freshwater and marine advisories are issued for the many waterways and coastal estuaries of New Jersey. The Fish Smart Eat Smart web page (<http://www.state.nj.us/dep/dsr/njmainfish.htm>) is a resource for the public and for the fishing community and contains current education and research to better inform those who consume fish.

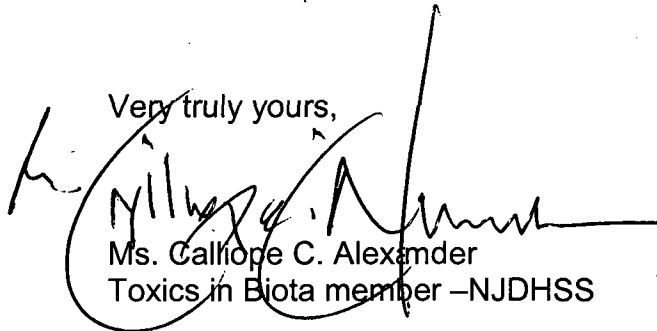
The committee has been informed of the ongoing involvement of the USEPA regarding the sites impacted by lead slag in the towns of Sayreville and Laurence Harbor. The USEPA should be commended for its interest and assistance in protecting against exposure to increased lead through responsible oversight. Working together, the USEPA, NJDHSS and the NJDEP performed outreach and education to these communities. The public concerns are understandable.

This correspondence is to formalize the Toxics in Biota Committee's appreciation of the USEPA and its commitment to conduct a sampling round that will address the bait, biota and fish that, due to the popular recreational fishing in these towns, the public is actively consuming. The committee is offering our ongoing advice and assistance in sampling and outreach to address the public's concerns. Since the public is actively consuming these species, it is important that adequate data be collected to assess the risk to recreational anglers as well as to the ecological resources.

Attached is a copy of the recommendations previously sent to your attention and the contacts for any assistance the USEPA or any member of the public may need. Cooperatively, the citizens of New Jersey who come to the coastal areas of Sayreville and Laurence Harbor will be protected though clean up of these sites.

Please contact the committee at my contact below when a timetable for sampling is established.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Calliope C. Alexander', is written over a circular stamp. The signature is fluid and cursive.

Ms. Calliope C. Alexander
Toxics in Biota member -NJDHSS

c: Gary Buchanan-Chrm.-NJDEP
Bruce Ruppel- NJDEP
Mancel Tamassia-NJDOA
Harold Nebling-NJDEP
Richard Ritota-NJDHSS

Contacts:

Gary Buchanan- NJDEP- 609 633-8457
Bruce Ruppel - NJDEP- 609 984-6548
Call Alexander – NJDHSS-609 588-3123
Richard Ritota – NJDHSS- 609 588-3123
Harold Nebling- NJDEP - 609 633-1989
Manoel Tamassia-NJDOA-609 943-4370

Discussions with members of the interagency Toxics in Biota Committee resulted in the following recommendations:

1. Blue Crab: 5 composites of 5 samples each
 - a. It is a further recommendation to split the 25 crabs so that there is separate analysis for the hepatopancreas and the muscle tissue.
2. Hard Clams: In keeping with the three different sizes previously sampled by the EPA, the committee is requesting 6 samples of each size = 18 samples.
3. Summer Flounder: 5 samples
4. Striped Bass: 5 samples
5. Bluefish: 5 samples
6. Additional species: Cunner, Sea Robins, Small Black Bass since the committee is aware of sustenance/ethnic-associated consumption of these species.

Ecological Sampling:

1. When the EPA performs the 0-6" sampling further out:
 - a. Polychaete worms and invertebrates such as grass shrimp should be obtained since this is bait for fishermen in this area.
 - b. Other shellfish can be sampled as well during this 0-6" sampling of rib mussels and blue mussels, if obtainable now.
 - c. Intertidal clams of the following species: *Mercenaria mercenaria*, *Mya arenaria*, and *Mytilus edulis*.
2. Also of ecological value would include the cormorant bird. The cormorants could be netted or trapped. 5 samples.

General Recommendations:

The Toxics in Biota Committee would like to recommend to the EPA to also sample a reference or control area, possibly the Sandy Hook area as a regional reference and/or Tuckerton as a state reference. The Toxics in Biota Committee also recommends PCB congener analysis (e.g. under the TCL sampling protocol) for (at a minimum) a congener subset similar to those collected by NJDEP (~120 congeners) or preferably the full 209 congeners.